

CHAPTER NO. 494

SENATE BILL NO. 2341

By Kurita

Substituted for: House Bill No. 2595

By Curtiss, Bittle, Vincent

AN ACT to amend Tennessee Code Annotated, Title 13, relative to land use for certain purposes and subdivision development.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 3, Part 4, is amended by adding the following as a new section:

Section 13-3-4___. (a) For any new subdivision development that is located in whole or in part within one thousand (1,000) feet of any portion of the outside boundary of any land on which is contained a sport shooting range that was established, by clear and convincing evidence, constructed or operated prior to the development of the subdivision, the owner of the development shall provide on any plat filed with the appropriate municipal or county official, or both, the following notice:

"Sport Shooting Range Area

This property is located in the vicinity of an established sport shooting range. It can be anticipated that customary uses and activities at this shooting range will be conducted now and in the future. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from these uses and activities. "

(b) As used in this section unless the context otherwise requires:

(1) "Established" means a sport shooting range that is known by custom, reputation or otherwise to exist within a community or area prior to the time of the proposed subdivision development. Indicia of a sport shooting range being "established" are:

(A) The range is listed in the area telephone book;

(B) The range is, from time to time, advertised in the yellow pages of a telephone book, newspapers, billboards or flyers;

(C) There are directional signs on public roads, streets or highways indicating the correct route to the shooting range;

(D) The range is indicated on a road or other map of the area that predates the proposed subdivision development;

(E) The shooting range is listed with the Better Business Bureau or Chamber of Commerce of the area in which it is located; or

(F) The owner of the range has a business license on file with the appropriate clerk.


(2) "Sport shooting range" or "range" means an area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.

(c) The provisions of this section shall only apply to counties that have a planning commission and subdivision regulations.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 31, 2004


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 12th day of April 2004


PHIL BREDESEN, GOVERNOR